

08/27/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No: 29479/500NSCA

CONTINUING APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Box Patent Application
 Commissioner for Patents
 Washington, D.C. 20231

Sir:

This is a request under 37 CFR 1.53 for filing a

- ☒ continuation-in-part application of PCT International Application
 PCT/US01/23270 filed on July 24, 2001 and continuation-in-part
 application of U.S. Serial Number 09/624,693 filed on July 24, 2000.

The parent application, U.S. Serial Number 09/624,693, is assigned to Group Art Unit 1652,
 Examiner Dr. M.A. Walicka.

1. Application Papers Enclosed

- 1 Title Page
 70 Pages of Specification (excluding Claims, Abstract, Drawings & Sequence Listing)
 7 Page(s) of Claims
 1 Page(s) of Abstract
 10 Sheet(s) of Drawings (Figs. 1 to 4)
☒ Formal
☐ Informal
 61 Page(s) of Sequence Listing

2. Particulars of Prior Applications

- (A) Application Serial No: 09/624,693
 Filed on: July 24, 2000
 Title: Phenylalanine Ammonia Lyase Polypeptide and Polynucleotide Sequences
 and Methods of Obtaining and Using Same
 Art Unit: 1641
 Examiner: Malgorzata A. Walicka
 Prior Docket No.: 29479/500NSC

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Continuing Application Transmittal Under 37 CFR 1.53(b) and the documents referred to as enclosed therewith are being deposited with the United States Postal Service on **August 24, 2001**, in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. EL564462110US.

Michael J. Hauman
 Michael Hauman

J1040 U.S. PTO
 09/939408
 08/24/01

08/24/01
 Jc950 U.S. PTO

08/24/01
 Jc950 U.S. PTO

2. Particulars of Prior Applications

(B) PCT International Application No: PCT/US01/23270
Filed on: July 24, 2001
Title: Phenylalanine Ammonia Lyase Polypeptide and Polynucleotide Sequences
and Methods of Obtaining and Using Same
Examiner: unassigned
Prior Docket No.: 29479/500NSCPCT

3. This request is filed by:

1. Full Name of Inventor	Family Name Yoshida	First Given Name Roberta	Second Given Name K.
Residence & Citizenship	City Buffalo Grove	State or Foreign Country Illinois	Country of Citizenship United States of America
Post Office Address	Post Office Address 906 Shambliss Lane	City Buffalo Grove	State & Zip Code/Country 60089

2. Full Name of Inventor	Family Name Kootstra	First Given Name Anna	Second Given Name B.
Residence & Citizenship	City Island Lake	State or Foreign Country Illinois	Country of Citizenship United States of America
Post Office Address	Post Office Address 420 Channel Drive	City Island Lake	State & Zip Code/Country 60042

- ☐ This application is being filed by less than all the inventors named in the prior application. An accompanying statement requests deletion of the name(s) of the person(s) who are not inventors of the invention being claimed in this application.

4. **Incorporation By Reference**

The entire disclosure of the prior applications, U.S. Serial Number 09/624,693 and PCT International Application PCT/US01/23270, are considered as being part of the disclosure of the accompanying application filed herewith and are hereby incorporated by reference therein.

7. **Priority**

- ☐ Priority of application No. _____, filed on _____ in _____ is claimed under 35 USC 119.
- ☐ The certified copy(ies) was(were) filed in prior U.S. application Serial No. _____.
- ☐ The certified copy(ies) has(have) not been filed.

5. **Assignment**

The prior application U.S. Serial Number 09/624, 693 is assigned of record to PCBU Services, Inc. , and has been recorded on October 13, 2000 at Reel No. 011175 , Frame No. 0604-607. An executed Assignment for recordation for the present application is filed herewith.

6. **Application to Be Published**

- ☒ Yes.
- ☐ No. A Request and Certification Under 35 U.S.C. §122(b)(2)(B)(i) is attached.

7. **Filing Fee Calculation (37 CFR 1.16)**

- A. ☒ **Utility Application**

CLAIMS AS FILED - INCLUDING PRELIMINARY AMENDMENT (IF ANY)						
			SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$355.00		\$710.00
TOTAL	36 -20	16 =	X 9 =	\$	X 18 =	\$288.00
INDEP.	19 - 3	16 =	X 40 =	\$	X 80 =	\$1,280.00
<input type="checkbox"/> First Presentation of Multiple Dependent Claim			+ 135 =	\$	+ 270 =	\$

Filing Fee:	\$	OR	\$2,278.00
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- B. ☐ Design Application (\$160.00/\$320.00) Filing Fee: \$ _____
- C. ☐ Plant Application (\$245.00/\$490.00) Filing Fee: \$ _____
- D. Other Fees
- ☒ Recording Assignment [Fee -- \$40.00 per assignment] \$ 40.00
- ☐ Petition fee for filing by other than all the inventors
or person on behalf of the inventor where inventor refused
to sign or cannot be reached [Fee -- \$130.00] \$ _____
- ☐ Other \$ _____

Total Fees Enclosed \$2,318.00

8. Method of Payment of Fees

- ☐ Attached is a check in the amount of: \$2,134.00
- ☒ Charge Deposit Account No. 13-2855 in the amount of: \$ 2,318.00
- A copy of this Transmittal is enclosed.

9. Additional Papers Enclosed

- ☒ Information Disclosure Statement (and accompanying references)
- ☒ Declaration of Biological Deposit
- ☒ Computer readable copy of sequence listing containing nucleotide and/or amino acid sequence
- ☒ Declaration and Power of Attorney
- ☒ Sequence Listing Statement
- ☒ An assignment of the invention
- ☒ Assignment Recordation Sheet
- ☒ Return receipt postcard
- ☐ Other

10. Deposit Account and Refund Authorization

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 37 CFR 1.17 to Deposit Account No. 13-2855. A copy of this Transmittal is enclosed.

Please refund any overpayment to Marshall, Gerstein & Borun at the address below.

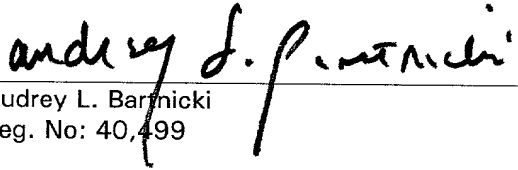
11. Correspondence Address

Customer No.: 04743

Respectfully submitted,

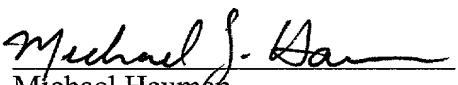
MARSHALL, GERSTEIN & BORUN
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6402
(312) 474-6300
(312) 474-0448 (Telefacsimile)

By:


Audrey L. Barnicki
Reg. No: 40,499

August 24, 2001
:/514732

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Roberta K. Yoshida	)	I hereby certify that this paper and all
Anna B. Kootstra	)	documents referred to therein as being
	)	enclosed are being deposited with the United
Serial No.: unassigned	)	States Postal Service on August 24, 2001, in
	)	an envelope addressed to the Assistant
Filed: August 24, 2001	)	Commissioner for Patents, Washington, D.C.
	)	20231 utilizing the "Express Mail Post
For: "Phenylalanine Ammonia	)	Office to Addressee" service of the United
Lyase Polypeptide and	)	States Postal Service under Mailing Label
Polynucleotide Sequences and	)	No. EL564462110US
Methods of Obtaining and Using)	
Same")	
)	
Group Art Unit: unassigned)	
	)	Michael Hauman
)	
Examiner: unassigned)	

STATEMENT PURSUANT TO 37 C. F. R. §1.821(f)

Box Patent Application
Assistant Commissioner for Patents
Washington, DC 20231

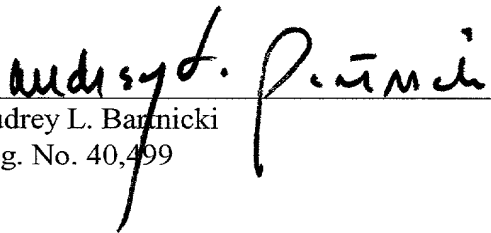
Sir:

I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. §1.821(c) and (e), respectively are the same.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN
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233 South Wacker Drive
Chicago, Illinois 60606-6402
(312) 474-6300

By:


Audrey L. Barnicki
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August 24, 2001